

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

**TRUMAN GROSS**  
**ADC #135755**

**PLAINTIFF**

v. **CASE NO. 5:18-CV-00119 BSM**

**WENDY KELLY, et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommendations [Doc. No. 17] submitted by United States Magistrate Judge Joe J. Volpe and plaintiff Truman Gross's objections [Doc. No. 23] have been reviewed. After *de novo* review of the record, the proposed findings and recommendations are adopted in their entirety. Accordingly, Gross's petition is dismissed without prejudice.

Dismissal of this action counts as a "strike" under 28 U.S.C. section 1915(g). Pursuant to 28 U.S.C. section 1915(a)(3), it is certified that an *in forma pauperis* appeal from this order and accompanying judgment would not be taken in good faith.

IT IS SO ORDERED this 27th day of August 2018.

  
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**UNITED STATES DISTRICT JUDGE**